IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

Con.Case(C).No. 1144 of 2005(S)

AGAINST JUDGMENT IN WP(C) NO.2072/2005 DATED 19.1.2005

PETITIONER/PETITIONER:

MRS. SAROJINI AMMA, AGED 52 YEARS,
W/O. RAVEENDRAN NAIR, KARAKKATTETHU HOUSE,
POOVATHOOR, PULLAD P.O., THIRUVALLA,
PATHANAMTHITTA.

BY ADV. SRI.R.SANTHOSH BABU

RESPONDENTS/RESPONDENT & 3RD PARTY:
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1. K. MINI BAI, AGE AND FATHER'S
NAME NOT KNOWN TO THE PETITIONER, SECRETARY
THE KOIPRAM GRAMA PANCHAYAT, PULLAD P.O.,
THIRUVALLA, PATHANAMTHITTA.

2. M.G. MURALEEDHARAN NAIR @ BALAN
MARUKARA, AGE AND FATHER'S NAME NOT KNOWN
TO THE PETITIONER, PRESIDENT THE KOIPRAM
GRAMA PANCHAYAT, PULLAD P.O., THIRUVALLA,
PATHANAMTHITTA.

BY ADV. SRI.T.R.RAMACHANDRAN NAIR

THIS CONTEMPT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 01/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.K. BALI, C.J. & S.SIRI JAGAN, J.

Cont.Case (C) No.1144 of 2005

Dated, this the 1st day of December, 2006

JUDGMENT

V.K.Bali,C.J.(Oral)

For the disobedience of the orders for which the present contempt petition has been filed, it is not disputed that an application under Order 39 Rule 2(A) of the Code of Civil Procedure has already been filed in the concerned Munsiff Court. Once, the petitioner has resorted to the remedy before the civil court and it appears to be more appropriate in the facts of the present case, as allegations made in the contempt petition may require recording of evidence, this contempt petition should not proceed any further. Closed.

V.K. BALI,
CHIEF JUSTICE.

S.SIRI JAGAN,
JUDGE.

vns